

### Remarks

This is in response to the final Office Action mailed on May 20, 2003. Claim 5 has been canceled without prejudice, and claims 1-4 remain pending. Reconsideration and allowance of all claims are respectfully requested.

In section 2 of the Office Action, claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Berger et al., U.S. Patent No. 5,778,717 (U.S. equivalent of DE 195 24 729). This rejection is respectfully traversed.

Claim 1 recites a step of contacting the wedge-shaped strip with a partitioning device so as to absorb transverse stresses in the strip proximate the measuring roller due to asymmetric introduction of tension and distortions in the strip. Therefore, the partitioning device functions to absorb transverse stresses while allowing tensile stresses in the strip to be measured by the measuring roller. Application, page 3, line 34 - page 4, line 7.

In contrast, the deflection rollers 23 and 26 disclosed by Berger are brought into contact with the strip in order to enlarge an angle of wrap at the control rollers, which are positioned spaced apart from the deflection rollers. Berger, column 3, lines 43-45. Berger fails to disclose or suggest that the rollers 23 and 26 function to absorb transverse stresses in the strip proximate the measuring roller due to asymmetric introduction of tension and distortions in the strip, as recited by claim 1.

In fact, Berger teaches disengaging the deflection rollers from the strip in connection with use of the flatness measuring rollers. Berger, column 4, lines 3-7. Therefore, Berger clearly fails to suggest using the deflection rollers to absorb transverse stresses in the strip proximate the measuring roller as recited by claim 1.

For at least these reasons, reconsideration and allowance of claim 1 are respectfully requested.

Claim 2 recites a device including a partitioning device adapted to absorb transverse stresses in the strip proximate the measuring roller due to asymmetric introduction of tension and distortions in the strip.

For at least the same reasons as those noted above with respect to claim 1, Berger fails to suggest a partitioning device adapted to absorb transverse stresses as recited by claim 2.

For example, one embodiment disclosed in the present application includes a roller that is adapted to absorb stresses, the roller being configured to maintain close contact with the wedge-


shaped strip through use of a surface with a good grip and over a sufficiently large looping angle. Application, page 4, lines 33-37. In contrast, Berger discloses using the angle of wrap created by the rollers to increase influence of the control rollers on the strip, i.e., creation of tensile stress in the bend. Berger, column 3, lines 45-48. Therefore, the partitioning device recited by claim 2 is not configured in the same manner as the rollers disclosed by Berger, and Berger fails to suggest adapting a partitioning device to absorb transverse stresses as recited by claim 2.

Reconsideration and allowance of claim 2 and claims 3 and 4 that depend therefrom are respectfully requested.

In view of the above amendments and remarks, claims 1-4 are now in condition for allowance. Favorable reconsideration in the form of Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned Attorney with any questions regarding this application.

Respectfully submitted,  
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